

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF INFORMATION TECHNOLOGY
110 SOUTH 7TH STREET
RICHMOND, VA 23219**

RFP 2003-28

QUESTIONS & RESPONSES

1. Is it possible to add non-SWAM vendors after the proposal is submitted? If yes, can they be added at the time of the contract award, when a statement of work is issued, or at any time?

Response: Non-SWAM and SWAM industry partners may be added at any time, however, the award will be made to those offeror(s) who propose the most comprehensive and broadest range of solutions (“total” solution), and overall best value. The Commonwealth strongly recommends robust strategic partnerships to accomplish this.

2. Page 8 of RFP mentions that an offeror or prime contractor must have been in business for a minimum of at least 3 years. Our parent company has been in business from the last 20 years, our group was spun off in January 2001. Are these 3 calendar years or 3 fiscal years? Please advise if we are qualified to submit a proposal as a prime contractor or offeror.

Response: Three calendar years (36 months).

3. Will the Commonwealth assign weighting values to the evaluation factors? If not, are the evaluation factors listed in order of importance with price being the least important?

The Commonwealth, Department of Information Technology, will not assign weights to the evaluation criteria. The evaluation factors are not listed in order of importance. Proposals will be evaluated according to the evaluation and award criteria stated in section 5 of RFP 2003-28 and in accordance with the Code of Virginia, § 2.2-4301, 3b, “...the public body shall select the offeror which, in its opinion, has made the best proposal, and shall award the contract to that offeror...”.

4. #5, Contract Usage Procedure, states that contractor cannot commence work until a written order by the user is obtained. Does this written order have to come through eVA or may it come direct from the Agency supported?

Response: Orders are placed through eVA.

5. Page 15, #12 discussed travel and reimbursement. Does travel have to be authorized in the purchase order received prior to the execution of the travel, and if not, is a modification to the purchase order required prior to filing and receiving reimbursement for travel executed?

Response: Travel does not have to be authorized in the initial purchase order provided to commence work, however, if travel is deemed necessary at a later time during the course of performance, a change order to include travel expenses is placed through eVA.

6. Page 24-25, General Term and Condition Q., Reference eVA fee. If a project is completed prior to using all awarded hours and dollars, resulting in overall savings to the Commonwealth, will the contractor receive a rebate on the previously paid eVA 1% if the total cost did not exceed 1% of sales?

Response: Should a project be completed prior to using all awarded hours and dollars, resulting in overall savings to the Commonwealth, the ordering entity would issue a change order which would result in a credit of the prorated transaction fee and applied against other pending orders or refunded by American Management System (AMS), eVA Contractor.

7. Paragraph A, d., page 26, states that a maximum of 15% of each invoice may be withheld pending completion and acceptance of the total project. We assume this pertains to purchase orders based on a project type deliverable with a defined statement of work and resultant proposal and not utilized when the purchase order is for a specific labor skill on an hourly basis providing level of effort support. Is this correct?

Response: 15% of each invoice may be withheld pending completion and acceptance of total project. Skilled labor hired on an hourly basis is also required to perform and provide desired deliverables, i.e., services, goods, etc.

8. Paragraph K, page 30, deals with the Commonwealth's Rights to software and documentation. The first sentence appears to have something missing, "...Contractor warrants that all documentation provided under an order shall be of sufficient quality and detail to pass without objection in the trace and to enable outside parties and User staff to maintain..." Please clarify.

Response: Addendum will be issued to delete "in the trace" of this term and condition.

9. Paragraph S, Page 32, discusses the Industrial Funding Adjustment (IFA) of 2% to be paid to DIT. The paragraph indicates the fee is to be paid to DIT on a monthly basis no later than 10 calendar days into the following month for

sales reported for the previous month. In this scenario, the contractor is required to pay DIT 2% of sales well prior to the contractor invoicing for those sales and well prior to the Commonwealth making payments to the contractor for support provided. This results in contractor having to front the cost to the Commonwealth for these payments potentially resulting in a cost of money issue and potentially resulting in higher prices to the Commonwealth for this service. Is this understanding correct? Propose that IFA payment be made on a quarterly basis no later than 30 days after the end of the quarter and after the Commonwealth has provided payment for service. For those tasks that the client may withhold 15% of the invoice amount (page 26, paragraph 10 A d.) does the 15% count in the report of sales and subject to the IFA?

Response: Reference page 31, Special Term and Condition, "R", Monthly Report of Sales, third sentence states "...A Contract sale is defined as the total of all invoices paid by the Commonwealth during the reported month...". The Monthly Report of Sales with the 2% IFA is to be submitted after contractor has provided monthly invoice to the Commonwealth and received payment.

Should 15% of an invoice be withheld, contractor does not report that amount as a contract sale until it is paid by the Commonwealth. If 15% is credited to the Commonwealth by the contractor, no dollar amount will be reported.

10. Can a local company partner/team with more than one prime offeror?

Response: Yes

11. Reference Page 34, section 10 Z., Criminal History and Credit Checks. Do the criminal history checks absolutely have to be conducted through the Virginia State Police?

Response: If a firm is engaged to perform background checks, they must go through (contact) Virginia State Police for criminal history information checks.

12. Would the Commonwealth be willing to move the due date for proposals back by three (3) weeks?

Response: Addendum will be issued to extend RFP 2003-28 one additional week (5/13/03 at 4:00 p.m.).

13. If you are going to provide a solution and the solution requires a team of high-end, mid-grade and low-end, if this is only for high-end, then it would be difficult to put together a team that would include a full team of what you may need to deliver a particular product and a particular solution. So, I would

submit that, in order to do that, the proposal would have to include the availability to put together a comprehensive team that would include a full team of all members that could deliver a properly documented and tested system of some sort. Is that really what the intent is here?

Response: Yes.

(Part 2) Would imply then that, in the innovative pricing techniques that we bring out, then it would cover the full gamut of what you may need for a full-up solution-oriented project?

Response: Yes, and that would be on a project-basis as opposed to the staff-augmentation project that would be individuals in specific job categories.

14. How do you make supplier diversity to include small businesses, women-and minority-owned businesses (SWAM) happen?

Response: Reference RFP 2003-28, Page 13, Section 7. C., “The Contractor shall submit ...quarterly report to show actual SWAM-owned business subcontract results...”

This report will be monitored by the Commonwealth Contract Administrator throughout the term of any resulting contract(s). The Commonwealth strongly encourages offerors to establish strategic partnerships and subcontracting relationships with other firms to facilitate the participation, particularly of SWAM owned businesses in providing solutions for RFP 2003-28. Additionally, RFP 2003-28 Section 4, #4, asks that offerors propose their ability, willingness and flexibility to establish strategic relationships which should include SWAM.

(Part 2) Other states mandate the use of SWAM businesses, does Virginia mandate the use of SWAM businesses?

Response: Virginia does not have such a mandate but strongly encourages the use of SWAM businesses.

15. Is it the Offeror and all members of the Offerors’ team that must have an office in Virginia?

Response: The Offeror (not partners or subcontractors) must have an office in Virginia or be willing to establish an office prior to award.

16. Page 8, can you address the second bullet?

“Offerors are encouraged to propose innovative solutions that will provide a comprehensive solution to satisfy all of the Commonwealth’s on-site

temporary IT consulting services in these specialized high level categories. Off-site sourcing solutions should be part of the comprehensive solution proposed by the Offeror”.

Response: We are looking for industry partners to be innovative in a way that supplements what a company may not have in order to meet as broad an array of needs for the Commonwealth as possible and then to offer innovative pricing solutions along with that. Examples of the kinds of things we are talking about, if you are a firm that offers applications developers, for instance, it would be innovative to partner with people who offer network and technology individuals, GIS experts and database experts to fill in the gaps of the things that a particular company does not have.

17. Page 9, item #6, Can you clarify what you are wanting in the appendix because you are saying you want us to demonstrate our expertise and innovative solutions and then you ask for resumes. Do you want resumes or do you want experience on the solutions the company is providing?

Response: We (the Commonwealth, DIT) made a change as a result of comments received during the posting of the draft RFP. Sample Resumes are not required but may be provided for those industry partners who want to include resumes as examples of representative skills that their organization offers.

18. Page 9, #4 or #5, specifically where are you looking for offerors to identify strategic partnerships other than SWAM businesses? Request more than 1 page to submit response.

Response: Page 9, item #4 is where strategic partnerships and SWAM businesses should be described and included. Per addendum #1, up to three (3) pages may be included in the offerors proposal response that describes an overview of the company’s partnerships and their capabilities with company profiles included in an appendix. The up to three page maximum does not include the appendix.

19. Page 9, #5, could you increase the page maximum?

Response: Per addendum #1, the page maximum is increased to 8 pages.

20. Page 10, item 17, can more price guidance be given so price comparisons can be apples to apples during evaluations?

Response: Proposals will not be evaluated solely on price. The Commonwealth is looking for creative innovative pricing solutions. The

Commonwealth is looking for the overall best value proposals with price being one of the evaluation factors.

21. It appears evaluation of price will be subjective, is that correct?

Response: The Commonwealth will evaluate all proposals in accordance with the evaluation factors contained in Section 5, page 11. Price will be considered but is not the sole determining factor.

22. Page limitations are placed on proposal responses but what about limitations on an appendix?

Response: No limitations were provided, however, we request that you keep it to a minimum.

23. The “Limitation and Liability” provision is pretty stiff, would the state consider 1) eliminating that, or 2) at a minimum, reducing it?

Response: The “Limitation of Liability” in this RFP has been significantly modified from those utilized in past solicitations which set no limit on liability, therefore, this term and condition will remain as stated.

24. The issue of patents and copyrights and intellectual property, as it relates to the terms and conditions, are we allowed to put in language that we would consider acceptable based on the engagement or the issue at hand?

For instance, as industry partners in the community, we may provide some sort of solution and out of that we also provide the training for that solution. That solution may already exist in another place, but we have certain documentation and training material that we would actually have and want to re-use, and, as a result, that lowers the cost for us to continue to do business with other individuals, corporations, states, etc. There may be something that results or comes out of whatever engagement from this contract that we would want to re-use, which really truly may have some value, but in the long run we would want to use, and an excellent example to me is something that you might consider low cost, but truly is something that we would like to use again in another engagement. Would you consider us being able to do so?

The language included on intellectual property and patents and copyrights many times are two areas which become an issue when you are in this type of engagement involving actual products verses solutions.

Response: The terms, “Commonwealth’s Rights to Software and Documentation” and “Intellectual Property Rights” contained in RFP 2003-28, will be applicable to any resulting contract(s) which would

include any order(s) placed under any resulting contract(s) for the referenced RFP.

25. Our company does not keep SWAM requirements information as to which ones are minority owned, women-owned or small businesses. Would the Commonwealth accept the SWAM documentation but categorized as being one of the entities within?

Response: The SWAM information should be submitted as requested in Attachment D (page 41) of RFP 2003-28.

26. Can we limit our list of small business that we have done business with to some representative sample of 25 or 50 to show that we do that?

Response: The SWAM information should be submitted as requested in Attachment D (page 41) of RFP 2003-28.

(Part 1)

27. If a prime contractor provides needs analysis and requirements gathering services that result in the issuance of a new RFP, would their sub-contractors be precluded from submitting a bid or proposal on the new IFB or RFP?

(Part 2)

If a sub-contractor (strategic partner) provides needs analysis and requirements gathering services that result in the issuance of a new RFP, would the prime contractor and its other sub-contractors be precluded from bidding on the RFP?

(Part 3)

If a company provides needs analysis and requirements gathering services that result in the issuance of a new RFP, would that company be precluded from bidding on the new RFP?

Response: The Commonwealth will look at this on a case by case basis. There may be situations where industry partners would not be eligible for work that may be generated from resultant contract(s) as a result of this RFP. Per the Code of Virginia § 2.2-4373. If a company, for compensation, prepares an invitation to bid or request for proposal for or on behalf of a public body, they cannot submit a bid or proposal for that procurement or any portion thereof or disclose to any other bidder or offeror information concerning the procurement that is not available to the public.

28. Referencing page 37, item 3, where there is knowledge and experience required for E-commerce products, data warehousing, E-intelligence type products, and you also list several software products being used in Attachment

B, would the contractor in this case be able to sell software products under this RFP if the Commonwealth and the specific agencies don't already have them?

Response: Any resulting contract(s), as a result of this solicitation, would be established for the purpose of procuring IT resource services. Purchases other than IT resource services must be procured in accordance with the Code of Virginia § 2.2-4303, by competitive sealed bidding, or competitive negotiation, unless otherwise authorized by law.

29. Would the Commonwealth provide a list of attendees who were present at the preproposal conference for RFP 2003-28 for purposes of forming partnerships?

**Response: Reference the following website for a listing of those industry partners that attended the preproposal conference:
(<http://asd.state.va.us>)**

30. In demonstrating SWAM relationships, does the Commonwealth of Virginia differentiate between SWAM partners that are Virginia based and those that are not Virginia based?

Response: The Commonwealth does not differentiate between SWAM partners that are Virginia based and those that are not Virginia based.

31. Can you provide clarification of Section 4, item #11? What is meant by task order management?

Response: Task order management is referring to project management. How would the Commonwealth's account be managed as a result of a contract award, i.e., number of resources and their roles assigned to the Commonwealth's account, how would projects (orders) be processed/managed, etc.

32. Can an industry partner be a partner/subcontractor on multiple proposal responses?

Response: Yes.

33. Regarding page limits for responses, we are under the assumption that the page limit begins after we have restated the question asked in the RFP. Is this what you anticipate? Specify if there is a certain format that you desire.

Response: The page limitations provided are to include the RFP text/question as well as the proposal response. The format requested for

proposals is provided in Section 4, Proposal Preparation And Submission Instructions.

34. Would the Commonwealth consider lifting the 12 point font requirement for only the tables and graphics? A 10 point font requirement would be appreciated.

Response: For tables, graphics and charts included in appendices, a 10 point font is permitted; however, the proposal response font size is 12.

35. Reference Attachment D, pages 41-47, does this requirement for information refer to all small businesses and businesses owned by women and minorities with which we have done business in the specified 12 month period; or does this requirement refer to information regarding only those businesses we plan to subcontract to as a result of an award under this RFP, and who are bid as subcontractors in our proposal?

Response: Reference Attachment D, section B (refers to each specific SWAM category) small, women and minority owned businesses with which the Offeror has contracted or done business and dollar amounts spent with each of the businesses in the most recent 12-month period for which data are available.

Reference Attachment D, section C (refers to each specific SWAM category) refers to Offeror describing plans to involve small, women and minority businesses in the performance of this contract either as part of a joint venture, as a partnership, as subcontractors or as suppliers.

36. What is the maximum number of vendors you will select for the Information Technology Resource Services Roster?

Response: Per RFP, Section 5, "...the Commonwealth reserves the right to make multiple awards as a result of this solicitation and in its sole discretion will make up to five (5) awards for overall best "total" solutions and best value..."

37. Is the Commonwealth open to counter-proposals with respect to specifically the areas of liability and intellectual property?

Response: The "Limitation of Liability" in this RFP has been significantly modified from those utilized in past solicitations which set no limit on liability, therefore, this term and condition will remain as stated.

"Intellectual Property Rights" will remain unchanged and applicable to any resulting contract(s) for the referenced RFP.

38. The RFP talks about price as one of the evaluation criteria. Where can I find the format for presenting the pricing info?

Response: The Commonwealth is asking for innovative pricing solutions as referenced in RFP 2003-28, Section 4, item #17. "...pricing options which should include innovative pricing solutions such as hourly rates, project based rates, discounted rates for extended timeframes on projects that would vary in size and might be based on hours and hourly rates or fixed price. Example of creative solution might be a reduction in normal rates for a project over a certain number of hours or reduction in cost if brought in after due date, or reduced rates for extended time periods on site, etc. At a minimum we are asking Offerors to provide a range of rates for a minimum to maximum pricing schedule for high level consulting services for those skills defined individually in Attachments A, B, and C."

39. I checked on the website and I wanted to check with you about the number of body shop statewide contracts. According to what I found on the website, there are 83 companies listed, is that correct?

Response: Currently, the Commonwealth has 82 established Staff Augmentation Service contracts that provide low-to mid-level IT "commodity" services.

40. Has the due date and time been postponed at all from May 6, 2003 for this RFP?

Response: Yes, Addendum #1 allows for a change in the proposal due date. Reference the following website for all updates and addenda for RFP 2003-28: <http://asd.state.va.us> click on "Current Bids" and then on RFP 2003-28. Addendum #1 needs to be downloaded, printed, signed and return with proposal response.

41. In regards to page limit for responses, does the page limit begin after we have restated the question asked in the RFP?

Response: The page limitations provided are to include the RFP text/question as well as the proposal response.

42. Is there a list of contract winners on the previous bid? Or is there a place on the DIT website where this information can be obtained?

Response: This is the first time that we have solicited proposals for high-level IT Resource Services. Currently there are 82 Staff Augmentation Service contracts awarded for low-to mid-level IT "commodity" services.

All IT statewide contracts may be seen at the following website: <http://asd.state.va.us>, click on “Statewide IT Contracts”.

43. I missed the pre-proposal conference and have since learned from some small companies that the RFP is tailored for major contractors, please advise. I would like to have a listing of all the major Primes that attended the pre-conference.

Response: RFP 2003-28 will be awarded on an overall best value in accordance with the evaluation and award criteria. It is the Commonwealth’s intent to award to those offeror(s) who propose the most comprehensive and broadest range of solutions (“total” solution) and overall best value. We strongly encourage industry partners to establish strategic partnerships and subcontracting relationships to offer a comprehensive and broad range of solutions that provide overall best value. A list of industry partners that attended the Preproposal Conference can be seen at the following website: <http://asd.state.va.us>, click on “Current Bids” and then “RFP 2003-28”.

44. We request a one week extension to the current proposal due date of May 12, 2003 to allow adequate time to prepare a response that meets all Commonwealth requirements and addresses the issues raised at the pre-proposal conference.

(Part 2) The RFP does not provide a contract start date. For pricing purposes, is it correct to assume a start date of July 1, 2003? If not, please provide a start date.

Response: The Code of Virginia, § 2.2-4301, 2. requires a minimum public notice time of ten days for competitive negotiation (RFP). The Commonwealth issued Addendum #1 to extend the due date from May 06, 2003 (public notice of 20 days) to May 13, 2003 for a total of 28 days public notice time in addition to posting the initial draft RFP for a week of public comment. The Commonwealth feels that sufficient time has been allowed and the due date of May 13, 2003 by 4:00 p.m. will remain the date that proposal(s) will be due.

Part 2 Response: Typically, the Commonwealth does not include a contract start date as a standard in the RFP. A number of factors such as number of proposals received and duration of proposal evaluations and negotiations determines any resultant contract start date.

45. Does the Commonwealth prefer only one proposal volume, rather than having price in a separate volume?

Response: Yes, proposal pricing should be submitted with proposal response (not separate volume) in the order (#17) as directed in RFP Section 4.

NOTE: Question #8 was corrected to accurately reflect Addendum #1 and questions #40 –45 were added.

Please check this website for most recent updates to include questions/responses and addenda issued for RFP 2003-28. Updated 5/08/03.